

In the Drawings:

Please replace the figures as originally filed in this application with Replacement FIGs. 1-8, attached hereto. No new matter has been entered thereby.

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REMARKS

In order to promote administrative efficiency and better communication, the Examiner is invited to make suggestions at any time during the proceedings, via phone, fax or e-mail, whenever such suggestions are within the Examiner's discretion as an aid to placing the claims in order for allowance in a timely manner.

Examiner's Points 5-6 :

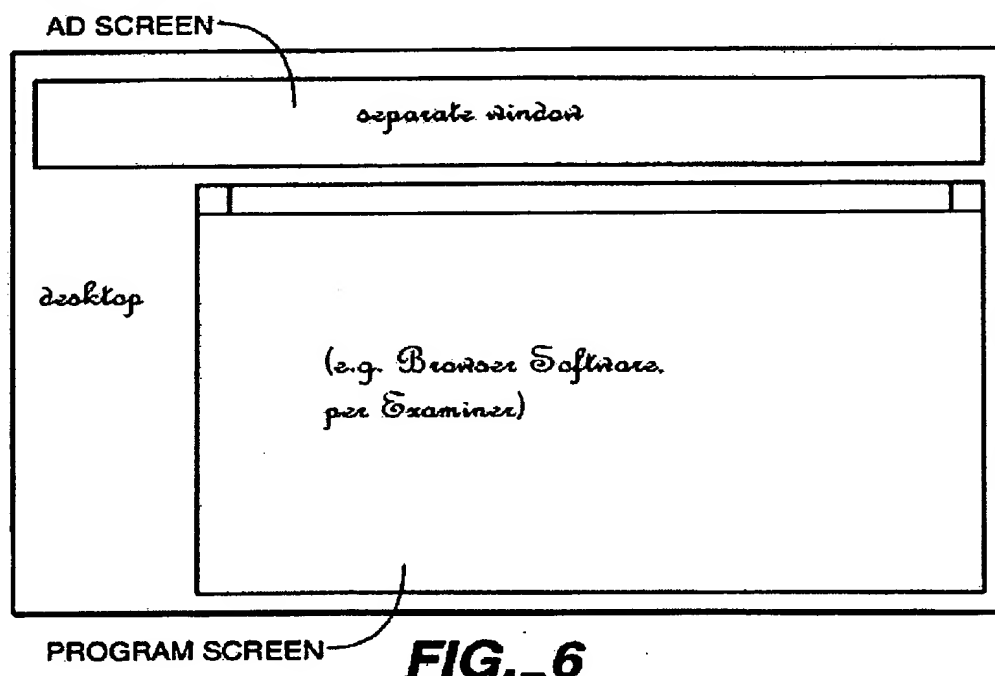
The Examiner rejected claims 1-4 under §112 for failing to comply with the enablement requirement. In response thereto, Applicant has amended the specification and replaced figures 1-3 as originally filed in this application with Replacement FIGs. 1-8, attached hereto. No new matter is added as such was duly incorporated by reference in the application as filed, by the incorporation of US Patent No. 5,787,254. It is believed that such amendment fully provides the enablement the Examiner deemed to be lacking. Acknowledgment of this fact is respectfully requested.

Examiner's Points 7-8: Rejection under 112, Second Paragraph:

Concerning the Examiner's rejection under 112, in which the Examiner asserts that the limitation "persistent" and "substantially" render the claim indefinite, based on a dictionary definition of these terms. By "persistent", it is meant that the message is present whenever the browser GUI is visible on the computer screen. Of course, when the browser GUI is closed because the user is using some other program, it may be that all or part of the GUI is obstructed from view. This fact is clearly disclosed in Applicant's specification, and in the drawings. Applicant has chosen to rely on the commonly used term "substantially" to indicate that the GUI may not always be visible. It is believed that Applicant has adequately responded to the Examiner's §112 rejection and that the terminology used in claim 1 is definite. Acknowledgement of this fact is respectfully requested.

Examiner's Points 9-13: 102(e) Rejection based on Horstmann:

The Examiner rejected claim 1 under 35 U.S.C. §102(b) as being anticipated by Horstmann. Horstmann states that "For example, a Web browser on the user's machine may be started up and pointed to a location providing further information about the subject matter of the ad.", and that an "ad module detects the [user's] click and activates a local Web browser, causing a Web page related to the advertisement to be accessed." Below is an annotated Figure 6 of Horstmann:

**FIG. 6**

Applicant points out, that given this above figure, taken in light of Horstmann's disclosure, Horstmann teaches an ad screen that opens separately from the program to which it is associated. Thus, Fig. 6 shows the users desktop with the ad screen and program screen open but separate from each other. Horstmann further lacks any teaching or remote suggestion of integrating the banner window into the browser GUI: Applicant's claim 1 has been amended to more clearly require that "the method causes the display of information in a banner window of a browser user interface on terminals

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in a network of terminals, wherein the information displayed on the browser user interface is persistent, being substantially visible during browsing". Applicant asserts that Horstmann, like Gerance, lacks any teaching or suggestion of providing a banner window *of the browser interface*. Consequently, it is believed that Horstmann lacks identity with Applicant's claim and thus cannot support a §102 rejection. Further, in a browser interface, generally only what's inside the browser interface changes (i.e., the contents and browsed data). In Applicant's invention, the browser interface includes an integrated banner window which displays messages to the user. Consequently, it is believed that claim 1 defines a patentably distinct invention from Horstmann's disclosure and that the Examiner may now properly pass the application on to allowance.

Applicant notes that another significant difference between Horstmann and Applicant's invention is that Horstmann teaches an Advertiser-controlled system, while the present invention describes a company (or project)-controlled system. The difference is huge, when one considers the productivity benefits from management using such a system to communicate its messages to its employees.

If the Examiner is so inclined in her effort to move this case on to allowance, she is invited to suggest further limitations incorporating this further difference in the claim.

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Conclusion

Applicant has made a diligent effort to advance the prosecution of this application by amending claims, and by pointing out herein with particularity how the claims now presented are patentably distinct from the prior art of record. Therefore, Applicant respectfully submits that the claims, as amended, are now in condition for allowance. No new matter has been entered by this amendment. Any limitations to the claims are made solely for the purpose of expediting the prosecution of the application and, unless otherwise expressly stated, are not made to narrow, vis-à-vis the prior art, the scope of protection which any subsequently issuing patent might

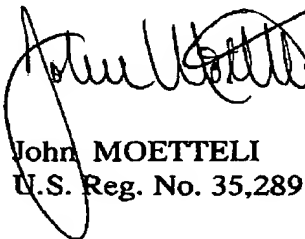
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afford. Again, if the Examiner has further questions, he is invited to contact the undersigned at phone 011-4171 230 1000, fax at 011-4171 230 1001 (St. Gallen is 6 hours ahead of Eastern Std Time), or e-mail at moetteli@email.com.

Applicant encourages an interview if the same will help move this case to issue.

Applicant petitions the Commissioner for an Extension of Time under 37 CFR §1.136 for a period of 0 month. **COURTESY**
COPY OF FAX
The undersigned authorizes the Commissioner to charge any fee or credit any overpayment of any fee under 37 CFR §1.16 and §1.17 which may be required in this application to the deposit account of MOETTELI & ASSOCIES SARL, no. 50-2621. **SENT July 25, 2005**
DO NOT DEBIT ACCOUNT

Respectfully submitted,


John MOETTELI
U.S. Reg. No. 35,289

Date : July 25, 2005

Enclosure: replacement figures 1-8

COURTESY
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SENT July 25, 2005
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